

HOUSE BILL 908

By Doggett

AN ACT to amend Tennessee Code Annotated, Title 37,
relative to reports of child abuse or neglect or child
sexual abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-403(b), is amended by redesignating the current language as subdivision (b)(1) and adding the following new subdivision:

(2) The report must include the name and contact information of the person making the report. The department shall not accept a report from a person who refuses to provide the person's name and contact information. At the person's request, the department shall keep the person's name and identifying information confidential except as provided in § 37-1-409(a)(3).

SECTION 2. Tennessee Code Annotated, Section 37-1-403(h), is amended by deleting the language "the identity of the person who made a report of harm pursuant to this section or § 37-1-605 shall be kept confidential" and substituting instead the language:

the identity of the person who made a report of harm pursuant to this section or § 37-1-605 must be kept confidential, except as provided in § 37-1-409(a)(3).

SECTION 3. Tennessee Code Annotated, Section 37-1-409(a)(1), is amended by deleting the period at the end of the subdivision and substituting the language "or as provided in subdivision (a)(3).".

SECTION 4. Tennessee Code Annotated, Section 37-1-409(a), is amended by adding the following new subdivision:

(3) Notwithstanding any provision of this chapter to the contrary, a person who has been accused of child abuse or neglect or child sexual abuse may petition the court with jurisdiction over the alleged abuse, neglect, or sexual abuse to order the department to reveal the identity of the person who reported the alleged child abuse or neglect or child sexual abuse. The court may order the department to reveal the identity of the reporter for good cause shown, including if the court determines that the reporter acted with intent to harass the accused.

SECTION 5. Tennessee Code Annotated, Section 37-1-605, is amended by adding the following as a new subsection:

() A report of known or suspected child sexual abuse must include the name and contact information of the person making the report. The department shall not accept a report from a person who refuses to provide the person's name and contact information. At the person's request, the department shall keep the person's name and identifying information confidential except as provided in § 37-1-612(g)(2).

SECTION 6. Tennessee Code Annotated, Section 37-1-612(g), is amended by deleting the language "The name of any person reporting child sexual abuse" and substituting instead the language "Except as provided in this subsection (g), the name of any person reporting child sexual abuse".

SECTION 7. Tennessee Code Annotated, Section 37-1-612(g), is amended by redesignating the current language as subdivision (g)(1) and adding the following new subdivision:

(2) Notwithstanding any provision of this chapter to the contrary, a person who has been accused of child sexual abuse may petition the court with jurisdiction over the alleged abuse to order the department to reveal the identity of the person who reported the alleged child sexual abuse. The court may order the department to reveal the

identity of the reporter for good cause shown, including if the court determines that the reporter acted with intent to harass the accused.

SECTION 8. This act takes effect July 1, 2021, the public welfare requiring it.